

**In the Matter Of:**

*DWAIN EDWARD THOMAS vs*

*KEVIN STITT*

---

*T. HASTINGS SIEGFRIED*

*June 14, 2024*

---



33

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 A. I understand that they can  
3 recommend parole for certain inmates. I  
4 don't know how they identify those  
5 potential inmates for parole.

6 Q. You understand that the  
7 governor can grant parole to certain  
8 categories of inmates?

9 MS. BRIGIDA: Object to form.

10 A. I understand that the governor  
11 can recommend parole for certain inmates,  
12 but I don't know related to the category  
13 that you're referencing to.

14 Q. Does the Board of Corrections  
15 ever communicate with PPB?

16 MS. BRIGIDA: Object to form.

17 A. No, not to my knowledge. I  
18 don't.

19 Q. Are you aware of any situations  
20 where the Board of Corrections has  
21 communicated with the Pardon and Parole  
22 Board?

23 A. No.

24 Q. What is the Board of  
25 Corrections' relationship to the Department

34

1           T. HASTINGS SIEGFRIED (6/14/2024)

2       of Corrections?

3           A.     So just to clarify, what is the

4       Board of Corrections' relationship to the

5       Department of Corrections?

6           Q.     Yes.

7           A.     The -- we oversee the policy,

8       the financials for approval, a governing

9       board of certain aspects related to the

10      statutes that are called out that require

11      board approval.

12       Q.     You understand that the

13      Department of Corrections will provide

14      inmate information to the Pardon and Parole

15      Board as part of the parole process?

16           MS. BRIGIDA: Object to form.

17       A.     I understand that as it is

18      stated in the policy, in the BOC policy.

19       Q.     And does the BOC policy apply

20      to the Department of Corrections?

21       A.     Yes.

22       Q.     Can the Department of

23      Corrections deviate from the BOC policy?

24           MS. BRIGIDA: Object to form.

25       A.     Not to my awareness.

58

1                   T. HASTINGS SIEGFRIED (6/14/2024)

2                   the board.

3                   Q.        My question is if you

4                   understand that the Department of

5                   Corrections is obligated to follow the

6                   policies that are set by the Board of

7                   Corrections?

8                   MS. BRIGIDA: Object to form.

9                   A.        Policy is set and flowed to

10                  create procedures, that's what I'm aware

11                  of, that's what I know. How it's done, I'm

12                  not aware. It's not our role as the Board

13                  of Corrections to dictate OPs.

14                  Q.        Do you understand that

15                  Department of Corrections' operation

16                  policies can govern the type of information

17                  that is captured in an inmate's file and is

18                  ultimately used to evaluate an inmate

19                  during their parole consideration?

20                  A.        No, I'm not.

21                  MS. BRIGIDA: Object to form.

22                  Q.        Are you aware that there are

23                  Department of Corrections' operational

24                  policies that govern an inmate's security

25                  classification?

59

1                   T. HASTINGS SIEGFRIED (6/14/2024)

2                   A.       No, I'm not aware of OP policy  
3                   details and how they are carried out or  
4                   followed with or developed.

5                   Q.       Has Board of Corrections ever

6                   established any parole process policy for  
7                   the Department of Corrections that is  
8                   specific to inmates who are juveniles at  
9                   the time of their underlying offense?

10                  A.       Again, when you say parole,  
11                  there are two very different things and I  
12                  don't know why you keep saying parole  
13                  because the pardon and parole is completely  
14                  separate. I have -- I and the board, as  
15                  the board representative, has no  
16                  involvement in pardon and parole. The  
17                  parole process that Department of  
18                  Corrections and the board has oversight is  
19                  a function of supervision after pardon and  
20                  parole board decisions are made. They are  
21                  not tied together.

22                  MS. HAGEN: Caylob, could you  
23                  please put up tab seven. We'll mark  
24                  this as Plaintiff's Exhibit 32.

25                  (Plaintiff's Exhibit 32,

73

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 2022; is that right?

3 A. Yes.

4 Q. Did you have a hand in drafting  
5 any part of this policy?

6 A. No.

7 Q. Did you review this policy  
8 before you signed it?

9 A. Yes.

10 Q. And to your knowledge, is this  
11 the most recent version of this policy?

12 A. Yes.

13 Q. This policy is titled  
14 Classification and Case Management of  
15 Inmates/Offenders; do you see that?

16 A. Yes.

17 Q. Is it your understanding that  
18 this policy governs the Department of  
19 Corrections' policies relating to  
20 classification and case management, right?

21 MS. BRIGIDA: Object to form.

22 A. It states and directs that the  
23 Department of Corrections will have policy  
24 in the manner.

25 Q. What do you mean by "policy in

74

1                   T. HASTINGS SIEGFRIED (6/14/2024)

2       the manner"?

3                   A.     It states that there will be an

4       operating procedure or other process to be

5       able to follow this policy.

6                   Q.     So the Department of

7       Corrections' classification and case

8       management policies need to comply with

9       this policy P-060100?

10          A.     Yes.

11                   MS. BRIGIDA: Object to form.

12          Q.     The opening part of this policy

13       says, "The Oklahoma Department of

14       Corrections (ODOC) properly classifies

15       inmates/offenders, administers sentences,

16       and provides clemency consideration in

17       accordance with the order of the court s

18       and statutory requirements."

19                   Do you see that?

20          A.     Yes.

21          Q.     Is it your understanding that

22       in Oklahoma, the term "clemency" can also

23       mean parole?

24                   MS. BRIGIDA: Object to form.

25          A.     I don't -- I don't know. Is

88

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 this section of the policy details the  
3 Board of Corrections' standing committees?

4 A. Yes.

5 Q. Number 1 listed here is the  
6 Executive Committee, and you testified  
7 earlier that you serve on that committee;  
8 is that right?

9 A. Yes.

10 Q. What is your role on that  
11 committee?

12 A. The chair.

13 Q. If we scroll to the next page,  
14 still on the Executive Committee section,  
15 subsection b says the, "Duties of the  
16 Executive Committee shall include" and then  
17 it lists three items; do you see that?

18 A. Yes.

19 Q. Number 2 says that the duty of  
20 the Executive Committee shall include  
21 "Reviewing OBOC policies and recommending  
22 changes to be presented to the OBOC."

23 Do you see that?

24 A. Yes.

25 Q. Has the Board of Corrections

89

1                   T. HASTINGS SIEGFRIED (6/14/2024)  
2 ever reviewed a policy or recommended  
3 changes to a policy related to parole for  
4 JLWP inmates?

5                   MS. BRIGIDA: Object to form.  
6                   A. I'm not aware of -- when you  
7 say parole, are you referring to a policy  
8 related to pardon and parole, no. That is  
9 not our duties nor knowledge or  
10 involvement.

11                  Q. Has the Board of Corrections --  
12 has the Executive Committee reviewed any  
13 Board of Corrections' policies related in  
14 any way to parole?

15                  A. Pardon and parole, no. I just  
16 want to clarify that when you refer to  
17 parole, no, there is no involvement  
18 whatsoever, so would you please reference  
19 when you say parole, so we don't get  
20 confused.

21                  Pardon and parole reference or  
22 probation and parole, could you restate the  
23 question with those two, because I -- we  
24 deal with the parole process after someone  
25 is paroled, that's the responsibility or

91

1           T. HASTINGS SIEGFRIED (6/14/2024)  
2 reviewing policy of pardon and parole, no.  
3 They request information just like any  
4 other statutory change or requirement that  
5 is put on the Department of Corrections is  
6 required by law, then the policy will be  
7 reviewed by the board to make changes in  
8 accordance with those requirements.

9           Q.     We can scroll down to number 3,  
10 which is Population/Security/Private Prison  
11 Committee; do you see that there?

12          A.     Yes.

13          Q.     Who is the chair of this  
14 committee?

15          A.     I am.

16          Q.     And this committee is  
17 responsible for reviewing the Department of  
18 Corrections' operating procedures; is that  
19 right?

20               MS. BRIGIDA: Object to form.

21               MS. HAWKINS: Object to form.

22          A.     Where does it say that?

23          Q.     Number 3 says, "Reviewing ODOC  
24 policies and procedures" -- sorry.

25          Reviewing -- sorry, number 1, "Reviewing

92

1                   T. HASTINGS SIEGFRIED (6/14/2024)  
2       the ODOC's population status, operating  
3       procedures, and the review and approval of  
4       facilities' authorized capacity"?

5                   A.     Yes.

6                   Q.     So this committee of the Board  
7       of Corrections is responsible for reviewing  
8       Department of Corrections' operating  
9       procedures?

10                  MS. HAWKINS: Object to form.

11                  A.     As it relates to facilities in  
12       the capacity, yes, if there are changes.  
13       As it relates to population security in  
14       private prisons, that is the --

15                  Q.     Has -- has this committee ever  
16       reviewed a Department of Corrections'  
17       facility operations procedure that relates  
18       specifically to JLWP inmates?

19                  MS. BRIGIDA: Object to form.

20                  A.     What is the term again of JLWP?

21                  MS. HAGEN: Caylob, could you  
22       put up Exhibit 28, tab one again,  
23       please.

24                  A.     I wrote a note. You can go  
25       back. No, we have not reviewed a procedure

97

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 Q. Do you have any knowledge of

3 any individual inmates who are eligible for

4 parole?

5 A. No.

6 Q. And to be clear, you have no

7 knowledge of Plaintiff Thomas in his

8 eligibility for parole?

9 A. No.

10 Q. And it's your testimony today

11 that the Board of Corrections has no role

12 in the pardon and parole process; is that

13 right?

14 A. Correct.

15 Q. And you do not know anything

16 about the policies that the Department of

17 Corrections implements with respect to

18 pardon and parole?

19 A. With respect to pardon, no.

20 No, no involvement or knowledge of what the

21 policy or -- yeah, procedure is and related

22 to pardon and parole.

23 Q. And is it your testimony also

24 that you have not reviewed any of the OP

25 operating policies of the Department of